

3/20/02

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE VIA FACSIMILE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, ON March 20, 2002

Depositor: Hilda Heinlein

 3/20/02
Signature & Date

#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In re application of: Eric Kline, et al.	Date: March 20, 2002
Serial Number: 09/759,018	Examiner: Kamand Cuneo
Filed: January 12, 2001	Group Art Unit: 2827
Title: COMPOSITION AND METHOD FOR CONTAINING METAL IONS IN ELECTRONIC DEVICES	IBM Corporation D/18G, B/300, Zip 482 2070 Route 52 Hopewell Junction, NY 12533-6531

RESPONSE TO RESTRICTION REQUIREMENT

This Response to Restriction Requirement is responsive to the Office Action mailed February 20, 2002.

The Examiner has required restriction to one of the following inventions under 35 USC §121:

FIS9-2000-0310US1

-1-

S/N 09/759,018

I. Claims 4 to 13, drawn to a product; and

II. Claims 1 to 3 and 14 to 37 drawn to a composition.

The Examiner has indicated that the inventions are distinct because inventions I and II are related as combination and subcombination in that the combination does not require the particulars of the subcombination and that the subcombination has utility by itself or in other combinations.

The restriction requirement is respectfully traversed. Claim 4 of invention I does in fact require the particulars of claim 1 of invention II. That is, the elements of claim 4 are exactly the same as the elements of claim 1. Therefore, inventions I and II cannot be distinct. Moreover, while inventions I and II are classified separately, any field of search of invention I must include the field of search for invention II. Accordingly, the restriction requirement required by the Examiner is improper and should be withdrawn.

In the event that the Examiner makes the restriction requirement final, Applicant hereby elects invention I, claims 4 to 13 for examination.

FIS9-2000-0310US1

-2-

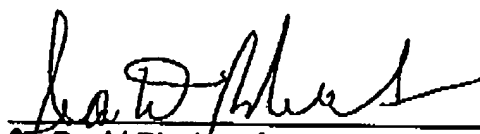
S/N 09/759,018

Further action with respect to the present application is earnestly solicited.

Respectfully submitted,

ERIC KLINE, ET AL.

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IDB/hh

FIS9-2000-0310US1

-3-